

REMARKS

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Applicants traverse the restriction however for the following reasons:

1. Restriction is improper relating to the species of Figures 3, 4, 6, and 7, as the classification and field of search of the species will be the same. Thus, there is no serious burden on the Examiner necessary to make a restriction proper.

2. Claim 1 is a generic claim that reads on each of the species of Figures 2-7. Claim 1 does not require a material element additional to those required by the species claims, and each species claim requires all of the elements of claim 1.

4. Examiner gives insufficient reason as to why the species of Figures 2-7 are held to be patentably distinct. Referring to MPEP 808.01, "a mere statement of conclusion is inadequate...[and] Form paragraph 8.01...may be used as appropriate to explain." Applicant respectfully points out that Examiner uses Form paragraph 8.01, but, referring to MPEP 809.02(a), Examiner fails to "explain why the inventions are distinct" (see Examiner note) as is required by detailed point [2] of Form paragraph 8.01. Applicant respectfully points out that this explanation [2] is missing from the end of the first paragraph of detailed action 1 of the Office Action (Form paragraph 8.01), and as such, the restriction requirement is improper.

The requirement for restriction being the only issue raised in the Office Action, this paper is fully responsive to the same.

In the event the Examiner has any queries regarding the instantly submitted amendment, applicants' attorney respectfully requests the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorney.

Respectfully submitted,

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